

RESOLUTION ANALYSIS

H.J.R. 109
By: Pickett
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that the Texas Constitution gives the legislature the power to authorize, by general law, an incorporated city or town to issue bonds for the purpose of financing the development or redevelopment of property and to pledge increases in property tax revenues for the repayment of those bonds or notes. However, these parties contend that the constitutional provision does not expressly give the legislature the power to grant that same bonding authority to counties and that the absence of explicit language in this regard may mean that county-initiated tax increment financing provisions may be subject to constitutional challenge. H.J.R. 109 seeks to remedy this situation by eliminating the discrepancy between the treatment of cities and towns and the treatment of counties with respect to the authority to implement tax increment financing.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this resolution does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this resolution does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.J.R. 109 proposes an amendment to the Texas Constitution to authorize the legislature by general law to authorize a county to issue bonds or notes to finance a transportation or infrastructure project in a defined area of the county and to pledge for repayment of those bonds or notes increases in revenues from property taxes imposed on property in the area by the county or other political subdivisions.

ELECTION DATE

The constitutional amendment proposed by this joint resolution will be submitted to the voters at an election to be held November 3, 2015.